

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

NO 30 PM 1:06

Robinson
SO. DIST. OF GA.

**In the United States District Court
for the Southern District of Georgia
Savannah Division**

UNITED STATES OF AMERICA,

v.

NO: 4:17-CR-50-3

VICTOR NATSON,

Defendant.

ORDER

Before the Court is Defendant Victor Natson's motion for relief under the First Step Act. Dkt. No. 291. For the reasons below, Natson's motion is **DENIED**.

On June 7, 2017, Natson and two others were named in a seven-count superseding indictment. Dkt. No. 42. The superseding indictment charged Natson with one count of conspiracy to interfere with interstate commerce by robbery; interference with interstate commerce by robbery; interference with interstate commerce by attempted robbery; using, carrying, and brandishing a firearm during and in relation to a crime of violence; and using, carrying, and discharging a firearm during and in relation to a crime of violence. Id. On May 17, 2018, a jury convicted Natson of all five counts. Dkt. No. 196.

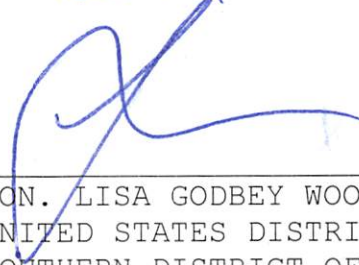
On February 22, 2019, Natson was sentenced to thirty-six months, plus the statutorily required 204 additional months to be

served consecutively, for a total of 240 months of imprisonment. Dkt. No. 261. When imposing this sentence, the Court granted Natson a downward variance pursuant to the factors contained in 18 U.S.C. § 3553(a). Natson has not been granted a sentence reduction by a motion pursuant to either § 5K1.1 of the Sentencing Guidelines or Federal Rule of Criminal Procedure 35.

On February 28, 2019, Natson appealed his conviction. See United States v. Scott, No. 19-10511 (11th Cir. 2019). The Court of Appeals affirmed his conviction on December 27, 2019 and issued the mandate March 18, 2020. Dkt. Nos. 293, 296.

Natson has moved the Court, pursuant to the First Step Act of 2018, for a reduction in sentence. Dkt. No. 291. His motion is **DENIED**. The First Step Act, Pub. L. 115-391, 132 Stat. 5194 (2018), was enacted and became effective on December 21, 2018. Therefore, defendants sentenced after that date received the full benefit of any applicable sentencing reforms contained in the First Step Act. In this case, Natson was sentenced over two months after the First Step Act became effective. As a result, the Court calculated Natson's Guideline sentence, including the statutorily required 204 consecutive months of imprisonment, using the post-First Step Act sentencing scheme. If Natson were resentenced today, he would face the identical Guideline range and mandatory consecutive sentence the Court used to determine the sentence he is currently serving.

SO ORDERED, this 30 day of March, 2020.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA